

**THIRD MODIFICATION TO
THIRD PARTY ADMINISTRATIVE SERVICES FOR FLEXIBLE SPENDING ACCOUNTS
HEALTHCARE AND DEPENDENT DAYCARE
CONTRACT No. F10B6400004**

THIS THIRD MODIFICATION ("THIRD MODIFICATION") is made as of this 31st day of August, 2021 by and between P&A Administrative Services Inc. ("P&A") and the STATE OF MARYLAND, acting through the Department of Budget and Management, Office of Personnel Service and Benefits, Employee and Labor Relations Division (the "Department").

WHEREAS, on July 6, 2016, the Department entered into a contract with the Contractor for Third Party Administrator (TPA) Services for Flexible Spending Accounts —Healthcare and Dependent Daycare, Project No. F10B6400004, (the "Contract") pursuant to the Request for Proposals for Third Party Administrator (TPA) Services for Flexible Spending Accounts — Healthcare and Dependent Daycare, Project No. F10B6400004 dated October 19, 2015, and all amendments thereto issued in writing by the State (the "RFP"); and

WHEREAS, the Department and Contractor modified the Contract on December 16, 2016 ("Modification 1"); and

WHEREAS, the Department and Contractor again modified the Contract on December 21, 2016 ("Modification 2"); and

WHEREAS, the parties desire to extend the Contract, while the Department conducts a new procurement for services and awards a new contract, to ensure continuity of the Employee Benefits Division's Third Party Administrator (TPA) Services Program.

NOW THEREFORE, IN CONSIDERATION of the promises and the covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows;

1. **Defined Terms.** All capitalized terms used in this Third Modification shall have the same meaning as provided in the Contract.
2. **Duration of Contract.** The Contract term under Section 3 of the Contract, Period of Performance, as extended until December 31, 2021 pursuant to the Department's exercise of four successive one-year renewal options, is hereby extended twelve months, from January 1, 2022 through December 31, 2022, unless terminated earlier as provided in the Contract.
3. **Consideration and Payment.** Payment to the Contractor for the services under the Contract shall remain the same as stated in Contract Option Year Four of the Contractor's Financial Proposal, RFP Attachment F, dated May 2, 2016, and shall not exceed \$695,234.12 for the Contract extension pursuant to this Third Modification.

4. **Scope of Third Modification.** This Third Modification amends the Contract specifically as described herein. Except as specifically revised by the terms of this Third Modification, all of the terms of the Contract shall remain in full force and effect and shall apply to this Third Modification.

IN WITNESS THEREOF, the parties have executed this Third Modification as of the date hereinabove set forth.

CONTRACTOR:

STATE OF MARYLAND:

P & A ADMINISTRATIVE SERVICES, INC.

DEPARTMENT OF BUDGET AND MANAGEMENT

Michael A Rizzo

DocuSigned by:
Marc Nicole
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By:

By: **Marc Nicole / DBM Deputy Secretary**

Michael A Rizzo Pres

Or designee:

Print Name and Title

DA - 12 - 2021

31 August 2021

Date

Huster Hummerle

Date

Andrea Jim

Witness/Attest

Witness

Approved for form and legal sufficiency

this 17th day of February, 2021.

Damon A. Brown

Assistant Attorney General